

SEP- 1-99 WED 7:15 AM FLYNN & GUYMON

FAX NO. 6182330601

r. /

US EPA RECORDS CENTER REGION 5



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HAROLD BALTZ (1804-1970)

OTIS E. GUYMON (1808-1971)

August 16, 1999

**SENT BY FAX**

Mr. George M. von Stamwitz  
Armstrong Teasdale LLP  
One Metropolitan Square, Ste. 2600  
St. Louis, MO 63102-2740

In re: Paschedag, et al v. Chemetco, Inc., et al  
No. 99-L-689

Dear George:

I forward herewith a copy of a letter dated August 11, 1999 which I have received from Tom Gesner, Environmental Claims Specialist, of Liberty Mutual.

I believe you may have more of the information that is requested than I do and, therefore, ask that you please draft a response to Mr. Gesner which we can then review. In response to Paragraph 8 of his letter, I forward herewith a copy of what I believe to be insurance coverage history for Chemetco. I have given notice and made a demand upon all of the carriers with coverage commencing from 1986 forward.

I would like to give some priority to this request so that we can get a response from Liberty Mutual even though I anticipate it will be a denial of coverage.

Thank you.

Sincerely yours,

Patrick M. Flynn

PMF:ek

Enc.

cc: Mr. John Suarez

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FAX NO. 0102000001

1. 1

**FLYNN & GUYMON**

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9/1/99 8:10  
DATE: August 17, 1999 TIME: 7:55 A.M. P.M.  
FAX NO.: 314-621-5065  
RE: Paschedag, et al v. Chemetco, Inc., et al

TO: George M. von Stamwitz cc: John Suarez

FROM: Patrick M. Flynn

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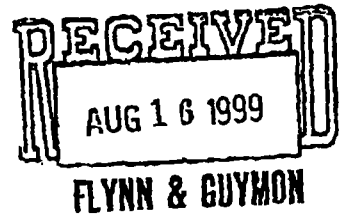


ENVIRONMENTAL DEPARTMENT  
TOM GESNER

100 Liberty Way -1B  
Dover NH 03820  
Telephone: (603) 749-2600 ext 32244  
Fax: (603) 749-3840

August 11, 1999

Patrick Flynn  
Flynn & Guymon  
23 Public Square, Ste 440  
Belleville, IL 62220



RE: Elroy Paschedag, Jr v. Chemetco, Inc et al  
Various (Long Lake)  
Our Insd: Chemetco Inc  
Our Claim #: P096-Pending

Dear Mr Flynn:

This letter will serve as an acknowledgment of your notification to Liberty Mutual of Chemetco's potential involvement with contamination discovered at the above-captioned site. In accordance with our company's procedures, we will initiate an investigation into the nature of coverage. Your cooperation in this effort is important and, as such, preliminary information is requested from you.

In order for us to begin our evaluation of this claim, we request that you supply certain information to us. Therefore, please provide us with the following information:

1. Please forward copies of all correspondence exchanged between or on behalf of Chemetco and any cleanup agency regarding this site.
2. Please provide a summary of any accidents or incidents that you are aware of which have occurred at this facility at any time during its past which caused or contributed to any contamination of the soils or groundwater. Please provide me with a history of such events, the nature of the incident, the identity of any waste or materials involved, and an explanation of what remediation was accomplished in response to the incident, if any. If there were no such events, would you please confirm that in writing.

3. Please forward a copy of any report that comments a) when contamination at or from this facility was first discovered and b) identifies the source of the contamination and c) defines the nature and extent of contamination of this facility. If there will be a delay in obtaining these documents, please explain the basis of the delay when you forward your response to the other requests for information contained herein.
4. A description of any cleanup or remediation that has taken place as well as the name of the agency responsible for such cleanup/remediation.
5. Documentation of any related costs that may have been incurred thus far.
6. Please identify any other entities that may be involved, and the nature of their involvement. Send copies of any contracts or agreements that may apply.
7. Please provide us with copies of all reports in your possession generated by the IL EPA with respect to this site.
8. Please provide us with a complete coverage history from 1986 to 1997 for both Chemetco and Chemico Metals Corporation as it appears the Liberty Mutual policies may have been effective from 10/1/97-10/1/99 and the allegation is that the "secret pipe" was installed in 1986.

We presently lack sufficient information to comment specifically on how Chemetco's policies may relate to the particular coverage issues present in Environmental Claims of this nature. Accordingly, we reserve all of our rights under applicable law and under all policies of insurance issued to Chemetco by Liberty Mutual and our continued investigation into this matter is not to be construed as a waiver of these rights.

We will be in further contact with you once we have received and reviewed your responses to the information requested. We will review the information as well as our records of your policies and will advise you in more detail of our coverage position once this has been completed. In the interim, please keep us fully informed of any further developments and should you have any questions, please contact us.

Thank you for your anticipated cooperation and I look forward to hearing from you soon.

GENERAL LIABILITY POLICIES FOR CHEMETCO, INC.

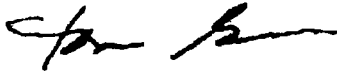
8/11/85 - 8/11/86	Western World Insurance Policy No.: GI A 226-001
8/11/86 - 8/11/87	Western World Insurance Policy No.: GL A 261122
8/11/87 - 8/11/88	Western World Insurance Policy No.: SGL000150
8/11/88 - 8/11/89	Home Indemnity Policy No. GLR9095861
8/11/89 - 8/11/90	General Liability Home Indemnity Policy No. JLR9095878
8/11/90 - 8/11/91	The Hartford Policy No. 84 UER MR9592E
8/11/91 - 8/11/92	The Hartford Policy No. 84 UER MR9592
10/1/92 - 10/1/93	The Hartford Policy No. 84 UER MR9597E
10/1/93 - 10/1/94	ITT Hartford Policy No. 83 UER MR9597E
10/1/94 - 10/1/95	ITT Hartford Policy No. 83 UER MR9597 E
10/1/95 - 10/1/96	ITT Hartford Policy No. 83 UER MR9597 E
10/1/96 - 1999	Liberty Mutual

SEP-1-99 WED 7:17 AM FLYNN & GUYMON

FAA NO. 0182330001

r. j

Sincerely,  
LIBERTY MUTUAL INSURANCE COMPANY

A handwritten signature in black ink, appearing to read "Tom Gesner", written in a cursive style.

Tom Gesner  
Environmental Claims Specialist